

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO.: 1:21CR259
)	
Plaintiff,)	JUDGE DONALD C. NUGENT
)	
v.)	
)	
RONALD A. DIPIETRO,)	
)	<u>GOVERNMENT'S MOTION FOR</u>
Defendant.)	<u>ACCOUNTING OF ASSET TRANSFER</u>

Now comes the United States of America, by Rebecca C. Lutzko, United States Attorney, and Henry F. DeBaggis, Assistant United States Attorney, and respectfully moves the Court to order Defendant Ronald A. DiPietro to file an accounting of funds transferred under the authority of a power of attorney to Defendant's counsel Robert J. Fedor.

The Presentence Investigation Report (PSR) includes a section which details Defendant's assets and liabilities and is captioned **Financial Condition: Ability to Pay.** (R. 299: PSR SEALED, PageID 4849). Defendant's financial condition is important at sentencing where, as here, there will likely be a restitution order and/or fines, which in this case are significant. (*Id.*, PageID 4853-54).

At trial, after a bifurcated forfeiture hearing, the jury returned a Special Verdict and determined that the following properties should not be forfeited:

1. \$20,098.00 in U.S. Currency;
2. \$8,677.00 in U.S. Currency;
3. \$14,550.00 in U.S. Currency;
4. 2015 Mercedes;
5. 2017 Mercedes;
6. Real property at 603 Bellflower Avenue, Canton, OH; and
7. Real property at 5692 Foxchase Path, Clinton, OH.

The two Mercedes Benz automobiles have been returned to Defendant's spouse and on March 29, 2024, the Internal Revenue Service (IRS) wire transferred \$20,098.00; \$8,677.00; and \$14,550.00 plus interest of \$4,758.92 (Total: \$48,083.92) to the IOLTA account of Defendant's counsel Robert J. Fedor. On April 1, 2024, IRS SA Miller emailed the Restraining Order issued to Defendant's counsel Fedor as a "Restrained Party". (R. 310: Order, PageID 4906).

The government respectfully moves the Court to issue an Order for Defendant's counsel Robert J. Fedor to file an accounting/confirmation that the \$48,083.92 transferred by the IRS remains in his IOLTA account pending further Order of the Court so the **Financial Condition: Ability to Pay** section of the PSR is complete prior to sentencing.

WHEREFORE, the United States respectfully submits Government's Motion for Accounting of Asset Transfer.

Respectfully submitted,

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